

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOSEPH CARVER,

Plaintiff,

v.

DR. HENRY RICHARDS *et al.*,

Defendants

Case No. C08-5052BHS/JKA

ORDER TO FILE SEPARATE
ACTIONS, TO AMEND THE
COMPLAINT, AND TO PROVIDE
FULL FINANCIAL DISCLOSURE

This case has been referred to the undersigned Magistrate Judge. The proposed complaint lists two plaintiffs Joseph Carver and Samuel Donaghe. Plaintiffs are appearing pro se and attempt to file this complaint on behalf of themselves and as representatives of a class (Dkt # 3).

The courts' experience with multiple plaintiff pro se litigation convinces the court that each of the plaintiffs in this action should proceed with their individual claims separately. This action will proceed only as to plaintiff Carver. The other plaintiff, Mr. Donaghe, is directed to re-file a separate complaint that raises only issues germane to Mr. Donaghe. This cause number should not be referenced and the new complaint filed by Mr. Donaghe will be given separate cause number.

Mr. Carver is directed to file an amended complaint raising only issues germane to him. The amended complaint will act as a complete substitute for the original. Further, plaintiffs are informed that a pro se party may not represent the interests of other persons. Although a nonattorney may

ORDER

1 appear pro se on behalf of himself, he has no authority to appear as an attorney for others. C.E. Pope
2 Equity Trust v. United States, 818 F.2d 696, 697 (9th Cir. 1987); Johns v. County of San Diego, 114
3 F.3d 874, 876 (9th Cir. 1997). If plaintiff believes a class is appropriate the proper procedure is to
4 file a complaint that address the issues he has standing to raise, and then he may file a motion for
5 class certification. See, Local Rule 23 for the format of a class action and the timing for bringing a
6 motion to certify a class.

7 Mr. Carver has moved for *in forma pauperis* status, he does not provide the court with
8 enough information for the court to determine if he is entitled to a grant of that status. Mr. Carver is
9 directed to send the court an account statement of funds he has available a the Special Commitment
10 Center indicating his current balance and spendable amounts. Further, if plaintiff has any bank
11 accounts not disclosed in his original application a statement showing the most current balance from
12 that account also needs to be provided.

13 Mr. Carvers's amended complaint will be due on or before **March 15, 2008**. The
14 information regarding his finances will be due **March 22, 2008**. Failure to file a timely amended
15 complaint will result in a Report and Recommendation to dismiss this action for failure to comply
16 with a court order and failure to prosecute. Failure to supply the information needed to determine if
17 plaintiff is entitled to *in forma pauperis* status will result in a Report and Recommendation that *in*
18 *forma pauperis* status be denied.

19 The Clerk is directed to send a copy of this Order to plaintiff and note this matter for **March**
20 **15, 2008**.

21
22 DATED this 13 day of February 2008.

23
24 /S/ J. Kelly Arnold

25 J. Kelley Arnold

26 United States Magistrate Judge

27
28 ORDER